

authorizing statute. Therefore, the FHWA is proposing to eliminate part 667 as opposed to amending it to account for the changes brought about by the ISTEA amendments. Elimination of these regulations would provide more flexibility in administration of the PLH discretionary program. In addition, elimination of part 667 would have the effect of further streamlining FHWA regulations in accordance with the objectives of the President's Regulatory Reinvention Initiative.

Rulemaking Analyses and Notices

All comments received before the close of business on the comment closing date indicated above will be considered and will be available for examination in the docket at the above address. Comments received after the comment closing date will be filed in the docket and will be considered to the extent practicable, but the FHWA may issue a final rule at any time after the close of the comment period. In addition to late comments, the FHWA will also continue to file in the docket relevant information that becomes available after the comment closing date, and interested persons should continue to examine the docket for new material.

Executive Order 12866 (Regulatory Planning and Review and DOT Regulatory Policies and Procedures)

The FHWA has considered the impact of this document and has determined that it is neither a significant rulemaking action within the meaning of Executive Order 12866 nor a significant rulemaking under the regulatory policies and procedures of the Department of Transportation. This rulemaking would result in the elimination of FHWA regulations regarding administration of the PLH discretionary program. These regulations have become outdated and are unnecessary in light of the fact that the statutory provisions authorizing allocation of these funds adequately delineate the procedures to be used and the factors to be considered in selecting the States that will receive funding. This rulemaking eliminating these obsolete regulations would not cause any significant changes to the amount of funding available under the PLH Discretionary Program or to the process by which applicants are selected to receive funding. Thus, it is anticipated that the economic impact of this rulemaking will be minimal. In addition, it will not create a serious inconsistency with any other agency's action or materially alter the budgetary impact of any entitlements, grants, user

fees, or loan programs; nor will elimination of these regulations raise any novel legal or policy issues. Therefore, a full regulatory evaluation is not required.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601-612), the FHWA has evaluated the effects of this rule on small entities and has determined that elimination of the FHWA regulations regarding administration of PLH discretionary funds will not have a significant economic impact on a substantial number of small entities. Elimination of these regulations will not affect the amount of funding available to the States through the PLH Discretionary Program or the procedures used to select the States eligible to receive these funds. Furthermore, States are not included in the definition of "small entity" set forth in 5 U.S.C. 601. Therefore, the FHWA hereby certifies that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12612 (Federalism Assessment)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this action does not raise sufficient federalism implications to warrant the preparation of a federalism assessment. Elimination of these obsolete FHWA regulations concerning the PLH Discretionary Program would not preempt any State law or State regulation. No additional costs or burdens would be imposed on the States as a result of this action, and the States' ability to discharge traditional State governmental functions would not be affected by this rulemaking.

Executive Order 12372

Catalog of Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

Paperwork Reduction Act

This action does not create a collection of information requirement for the purposes of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501-3520.

National Environmental Policy Act

The FHWA has analyzed this rulemaking for the purposes of the

National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347) and has determined that this action would not have any effect on the quality of the environment. Therefore an environmental impact statement is not required.

Regulatory Identification Number

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects in 23 CFR Part 667

Highways and roads, Public lands highway funds.

Issued on: November 27, 1995.

Rodney E. Slater,
Federal Highway Administrator.

In consideration of the foregoing and under the authority of 23 U.S.C. 202, 204, and 315, the FHWA proposes to remove and reserve part 667 of title 23, Code of Federal Regulations, as set forth below.

PART 667—PUBLIC LANDS HIGHWAYS FUNDS [REMOVED AND RESERVED]

1. Part 667 is removed and reserved.

[FR Doc. 95-29647 Filed 12-5-95; 8:45 am]

BILLING CODE 4910-22-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Parts 1910, 1915 and 1926

[Docket No. H-071B]

Occupational Exposure to Methylene Chloride

AGENCY: Occupational Safety and Health Administration (OSHA), Department of Labor.

ACTION: Proposed rule; Limited reopening of the rulemaking record.

SUMMARY: On October 24, 1995, the Occupational Safety and Health Administration (OSHA) reopened the record (60 FR 54462) for the proposed revision of the regulation of methylene chloride (MC) (56 FR 57036, November 7, 1991) to incorporate recently concluded research on MC carcinogenicity.

The studies incorporated in the October 24 notice address the mechanism by which MC metabolites induce lung and liver cancer in mice and draw conclusions regarding the relevance of the mouse data to the assessment of human cancer risk. OSHA determined that those studies are relevant to full consideration of concerns raised by the MC rulemaking and reopened the record until November 24, 1995, to allow the public an opportunity to comment.

The October 24 notice generated substantially more interest than OSHA anticipated and the Agency is concerned that the initial 30 days was insufficient to allow full participation by interested parties. Accordingly, OSHA is reopening the comment period until December 29, 1995.

DATES: Written comments on the materials incorporated through the October 24, 1995 notice of reopening must be postmarked by December 29, 1995.

ADDRESSES: Comments are to be submitted in quadruplicate to the Docket Office, Docket No. H-071B, U.S. Department of Labor, room N-2634, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone (202) 219-7894. Written comments limited to 10 pages or less in length also may be transmitted by facsimile to (202) 219-5046, provided that the original and 3 copies are sent to the Docket Office thereafter.

FOR FURTHER INFORMATION CONTACT: Anne C. Cyr, Office of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, room N-3647, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone (202) 219-8148. For electronic copies of this Federal Register notice, contact the Labor News Bulletin Board (202) 219-4784; or OSHA's WebPage on Internet at <http://www.osha.gov/>. For news releases, fact sheets, and other short documents, contact OSHA FAX at (900) 555-3400 at \$1.50 per minute.

SUPPLEMENTARY INFORMATION:

I. Background

On November 7, 1991, OSHA issued a notice of proposed rulemaking (56 FR 57036) to address the significant risks of MC-induced health effects. The proposed rule required employers to reduce occupational exposure to MC and to institute ancillary measures, such as employee training and medical surveillance, for further protection of MC-exposed workers.

OSHA convened public hearings (57 FR 24438, June 9, 1992) in Washington, DC on September 16-24, 1992 and in

San Francisco, CA on October 14-16, 1992. The post-hearing period for the submission of additional briefs, arguments and summations ended on March 15, 1993.

On March 11, 1994, OSHA reopened the rulemaking record for 45 days (59 FR 11567) to obtain public input on three documents incorporated into the rulemaking record, one of which examined the relationship between MC exposure and human carcinogenesis. The limited reopening, which ended on April 25, 1994, generated 37 comments.

The Halogenated Solvents Industry Alliance (HSIA) subsequently submitted several recently completed studies which address the mechanism for MC-induced cancer in mice and which assert that species differences in the metabolism of MC preclude the use of mouse data to characterize human cancer risk. The utility of the mouse data in assessing human risk is a critical issue in this rulemaking. Therefore, OSHA concluded that it was appropriate, even at this late stage of the rulemaking process, to consider the HSIA-submitted studies in the drafting of the final rule. Accordingly, on October 24, 1995, the Agency reopened the rulemaking record to incorporate those studies and to provide the public with an opportunity to comment.

OSHA has been considering the impact of species differences on the MC risk assessment throughout this rulemaking, and has generated an extensive record over the nearly four years since the proposal was published. While the Agency has agreed with the HSIA that the new materials should be taken into account, the Agency still believes that every effort should be made to conclude this rulemaking expeditiously. To that end, OSHA reopened the record for 30 days to receive any additional comments and information regarding this issue. While the record was open, OSHA received many requests for the studies. Due to the substantial interest generated by the October 24 notice, the Agency has decided to allow interested parties additional time in which to submit their comments. Therefore, OSHA is extending the comment period until December 29, 1995.

OSHA will provide interested parties with copies of the materials incorporated into the methylene chloride record through the October 24, 1995 reopening notice, upon request, to facilitate full and timely public participation. Requests for copies of the studies should be addressed to the Christine Whittaker, Room N-3718, Health Standards Programs, OSHA, U.S. Department of Labor, 200 Constitution

Avenue, NW., Washington, DC 20210. Telephone: (202) 219-7174. Fax: (202) 219-7125.

II. Public Participation

Comments

Written comments regarding the materials incorporated into the methylene chloride record through the October 24, 1995 reopening notice must be postmarked by December 29, 1995. Four copies of these comments must be submitted to the Docket Office, Docket No. H-071B, U.S. Department of Labor, room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210. (202) 219-7894. All materials submitted will be available for inspection and copying at the above address. Materials previously submitted to the Docket for this rulemaking need not be resubmitted.

III. Authority

This document was prepared under the direction of Joseph A. Dear, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

It is issued under section 6(b) of the Occupational Safety and Health Act (29 U.S.C. 655), and 29 CFR part 1911.

Signed at Washington, DC, this 1st day of December 1995.

Joseph A. Dear,

Assistant Secretary of Labor.

[FR Doc. 95-29719 Filed 12-5-95; 8:45 am]

BILLING CODE 4510-26-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-300405; FRL-4987-4]

RIN 2070-AC18

Maleic Hydrazide, Oryzalin, Hexazinone, Streptomycin; Tolerance Actions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: For each of the pesticides subject to the actions listed in this proposed rule, EPA has completed the reregistration process and issued a Reregistration Eligibility Decision (RED). In the reregistration process, all information to support a pesticide's continued registration is reviewed for adequacy and, when needed, supplemented with new scientific studies. Based on the RED tolerance assessments for the pesticide chemicals